

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CHARLES H. ROBERTS, *et al.*,)
)
Plaintiffs)
)
v.) No. 3:11-1127
) Judge Sharp/Bryant
) **Jury Demand**
DERRICK D. SCHOFIELD, *et al.*,)
)
Defendants)

O R D E R

Presently pending in this case are three motions filed by Plaintiffs seeking leave to permissively join additional individuals as defendants in this action (Docket Entry Nos. 135, 146 and 205). For the reasons stated below, these three motions must be denied.

Plaintiffs' motion for joinder identified as Docket Entry 135 seek to name as additional individual defendants the following: Dan D. Haskins, Jr.; Chaplain at Charles Bass Correctional Facility; Ope O. Oshomoji; Food Service Manager at Charles Bass Correctional Facility; Jeannie Alexander, Chaplain at River Bend Maximum Security Institution; Robert Curtis, Food Service Manager at River Bend Maximum Security Institution; Jane Amonett, Food Service Director for the Tennessee Department of Corrections; and Steve Cantrell, Chaplain at Morgan County Correctional Complex.

Plaintiffs' motion for joinder filed at Docket Entry No. 146 seeks to join the following individuals as additional defendants: Dan D. Haskins, Jr., Ope O. Oshomoji, Jane Amonett, Jeannie Alexander, Steve Cantrell, all identified in the motion

referenced above, and Robert Curtis, identified as Food Service Manager at River Bend Maximum Security Institution.

By motion to add newly named defendants (Docket Entry No. 205), Plaintiffs seek to add the following individuals as defendants: Anna Cannon, identified as Food Services Manager at Morgan County Correctional Complex; Arty S. Heidle, Shift Supervisor at MCCX; Darlene E. Aytes, Shift Supervisor at MCCX; Theresa D. Plantz, Shift Supervisor at MCCX; Vera Winebarger-Schumpert, Shift Supervisor at MCCX; Anita [last name unknown]; Steward at MCCX; and K. Hunter, Steward at MCCX.

According the record in this case, Plaintiff Charles H. Roberts is currently housed at the Roane County Jail in Kingston, Tennessee (Docket Entry No. 209) and Plaintiff Marshall Murdock is currently housed at the River Bend Maximum Security Institution in Nashville, Tennessee (Docket Entry No. 218). Since the complaint in this case seeks only injunctive relief, any person who is not located either at the Roane County Jail or Riverbend Maximum Security Institution would be incapable of providing the relief that Plaintiffs Roberts and Murdock seek. Therefore, the joinder of Haskins, Oshomoji, Cantrell, Cannon, Heidle, Aytes, Plantz, Winebarger-Schumpert, Anita [last name unknown], and K. Hunter, would be futile since all of these individuals are located at institutions other than places where the Plaintiffs are presently confined. Moreover, with respect to Alexander, Curtis, and Amonett, the undersigned finds that none of these three individuals is essential to provide relief that Plaintiffs seek. Here, Defendant Schofield is the Commissioner of the Tennessee Department of

Correction and Defendant Hodge is Assistant Commissioner for Operations of TDOC. These two individuals at least presumptively possess the authority to provide the injunctive relief that Plaintiffs seek, if ordered by the Court. In addition, the undersigned Magistrate Judge finds that adding these additional individuals as named defendants to this action unnecessarily complicates the case, prejudices the current parties in obtaining timely resolution of the claims, and affords no additional opportunity for relief to Plaintiffs.

For the reasons stated above, the undersigned Magistrate Judge **DENIES** these three motions to add additional defendants (Docket Entry Nos. 135, 146 and 205).

It is so **ORDERED**.

/s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge